

MESSAGE NO: 7038304 MESSAGE DATE: 02/07/2017

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: FIN-Final Determination PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE: REF-Refund

FR CITE: 82 FR 8402 FR CITE DATE: 01/25/2017

REFERENCE MESSAGE # 6358308, 7031308  
(s):  
CASE #(s): A-475-818

EFFECTIVE DATE: 01/25/2017 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 12/16/2016 TO 01/24/2017

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Refund of antidumping duty cash deposit for certain pasta from Italy pursuant to the amended final results for the period 12/16/2016 through 01/24/2017 (A-475-818).

1. On 01/25/2017 (82 FR 8402), Commerce published in the Federal Register its amended final results of administrative review of the antidumping duty order on certain pasta from Italy. See message 7031308, dated 01/31/2017.

2. Title 19 U.S.C. 1520(a)(4) authorizes refunds prior to liquidation whenever an importer of record declares or it is ascertained that excess duties, fees, charges, or exactions have been deposited or paid. In accordance with 19 U.S.C. 1520(a)(4), CBP is authorized to grant a refund, if requested by the importer, of cash deposits for entries of certain pasta from Italy from the entity/entities listed in paragraph 4 below which were entered, or withdrawn from warehouse, for consumption during the period 12/16/2016 through 01/24/2017.

3. The refund amount will be calculated by determining the difference between the amount of cash deposits paid as a result of the application of the final results rate and the amount due as a result of the application of the amended final results rate.

4. Listed below are the deposit rates that were assigned to certain firms in the final results. See message 6358308, dated 12/23/2016. In addition, listed below are the amended deposit rates assigned in the amended final results (see message number 7031308, dated 01/31/2017):

Producer and/or Exporter: Liguori Pastificio dal 1820 S.p.A. (Liguori)

Case number: A-475-818-018

Final results rate: 10.79%

Amended final results rate: 5.55%

Producer and/or Exporter: Pastificio Riscossa F. Ili Mastromauro S.p.A. (AKA Pastificio Riscossa F. Ili. Mastromauro S.r.L.) (Riscossa)

Case number: A-475-818-036

Final results rate: 4.00 %

Amended rate: 2.47 %

Producer and/or Exporter: Pastificio Carmine Russo S.p.A. (Carmine)

Case number: A-475-818-039

Final deposit rate: 4.00 %

Amended rate: 2.47 %

Producer and/or Exporter: Molino e Pastificio Tomasello S.r.L. (Tomasello)

Case number: A-475-818-040

Final deposit rate: 4.00 %

Amended rate: 2.47 %

Producer and/or Exporter: Corticella Molini e Pastifici S.p.A. (Corticella)

Case number: A-475-818-043

Final deposit rate: 4.00 %

Amended rate: 2.47 %

Producer and/or Exporter: Atar S.r.L. (Atar)

Case number: A-475-818-042

Final deposit rate: 4.00 %

Amended rate: 2.47 %

Producer and/or Exporter: F. Divella S.p. A. (F. Divella)

Case number: A-475-818-048

Final deposit rate: 4.00 %

Amended rate: 2.47 %

Producer and/or Exporter: Pasta Zara S.p.A. (Pasta Zara)

Case number: A-475-818-049

Final deposit rate: 4.00 %

Amended rate: 2.47 %

Producer and/or Exporter: Pastificio DiMartino Gaetano & F. Ili S.r.L. (DiMartino)

Case number: A-475-818-050

Final deposit rate: 4.00 %

Amended rate: 2.47 %

Producer and/or Exporter: Pastificio Felicetti S.r. L. (Felicetti)

Case number: A-475-818-051

Final deposit rate: 4.00 %

Amended rate: 2.47 %

Producer and/or Exporter: Domenico Paone fu Erasmo S.p.A. (Domenico)

Case number: A-475-818-052

Final deposit rate: 4.00 %

Amended rate: 2.47 %

Producer and/or Exporter: Pastificio Labor S.r.L. (Labor)

Case number: A-475-818-053

Final deposit rate: 4.00 %

Amended rate: 2.47 %

Producer and/or Exporter: Rustichella d'Abruzzo S.p.A. (Rustichella)

Case number: A-475-818-054

Final deposit rate: 4.00 %

Amended rate: 2.47 %

Producer and/or Exporter: Premiato Pastificio Afreltra S.r. L. (Premiato)

Case number: A-475-818-057

Final deposit rate: 4.00 %

Amended rate: 2.47 %

Producer and/or Exporter: Pastificio Fabianelli S.p.A. (Fabianelli)

Case number: A-475-818-058

Final deposit rate: 4.00 %

Amended rate: 2.47 %

Producer and/or Exporter: Agritalia S.r.L. (Agritalia)

Case number: A-475-818-059

Final deposit rate: 4.00 %

Amended rate: 2.47 %

Note: In message 6358308, dated 12/23/2016, Commerce inadvertently listed the wrong case number for this company (A-475-818-023). For merchandise produced by De Matteis Agroalimentare SPA and exported by Agritalia S.R.L., and entered under A-475-818-023, the refund amount will be calculated by determining the difference between the amount of cash deposits paid as a result of the application of the final results rate (4.00%) and 0%.

For merchandise produced and/or exported by Agritalia S.r.L., and entered under A-475-818-023, the refund amount will be calculated by determining the difference between the amount of cash deposits paid as a result of the application of the final results rate (4.00%) and the amount due as a result of the application of the amended final results rate (2.47%).

Producer and/or Exporter: Delverde Industrie Alimentari S.p.A. (Delverde)

Case number: A-475-818-063

Final results rate: 4.00%

Amended rate: 2.47 %

Producer and/or Exporter: P.A.P S.R.L.

Case number: A-475-818-071

Final deposit rate: 4.00 %

Amended rate: 2.47 %

Producer and/or Exporter: La Fabbrica della Pasta di Gragnano S.a.s. di Antonio Moccia (La Fabbrica)

Case number: A-475-818-074

Final deposit rate: 4.00 %

Amended rate: 2.47 %

Producer and/or Exporter: Poiatti S.p.A. (Poiatti)

Case number: A-475-818-075

Final deposit rate: 4.00 %

Amended rate: 2.47 %

5. Do not liquidate entries of certain pasta from Italy produced and/or exported by the entities listed in paragraph 4 above until specific liquidation instructions are issued.

6. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such

period.

7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OIII: JZ)

8. There are no restrictions on release of this information.

Alexander Amdur

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party